

REMARKS

Reconsideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested.

A. Status of the Claims and Explanation of Amendments

Claims 1-21 are pending, and were rejected. As to matters of form, claim 21 was rejected pursuant to 35 U.S.C. § 112, ¶2 for alleged indefiniteness. [2/1/06 Office Action at p. 2]. By this paper, claim 21 is amended to address its alleged indefiniteness. Antecedent basis for the phrase “the areas of comfort or of breadth” is now found in the preamble. Entry of these amendments and withdrawal of the rejection is respectfully requested.

In addition, claim 1 is amended to specify that the headlight device is “for a motor vehicle,” and that the diodes emit “visible luminous rays.” Similar amendments are made to claims 9, 13, and 21. Moreover, claim 1 is amended to specific that the at least one luminous source comprises “between 2 and 20 electroluminescent diodes.” Moreover, this claim is amended to specify that “a totality” of the rays from each of these diodes is reflected by a specific, dedicated reflecting surface, and that at least two of the diodes provide the range contribution of the luminous beam. Support for these amendments is found throughout the application as originally filed, including original claims 6 and 7.

Claims 6 and 7 are cancelled without prejudice or disclaimer.

Claim 9 is amended to avoid the term “supplemented” and now recites that the diode and halogen or discharge lamp both emit visible light that “comprise the luminous beam.”

Claim 13 is amended to recite that the luminous source comprises “at least three diodes” and that a “first” of the diodes provides “a range contribution,” a “second” of the diodes provides “a breadth contribution” and a “third” of the diodes provides “a comfort contribution” to the luminous beam emitted by the headlight device. Moreover, claim 13 recites that “each electroluminescent diode ... is oriented so that the totality of its ray propagation reaches the specific area of reflection which is dedicated to it.” Support for these amendments is found throughout the application as originally filed, including original claim 6.

Claim 16 is amended to depend from claim 1, instead of now-cancelled claim 7.

Claim 20 is amended to clarify that the halogen-lamp or the discharge-lamp “comprises a xenon lamp.”

No new matter will be added to this application by entry of these amendments. Entry is requested.

Claims 1-2, 6-8, and 11-19 were rejected pursuant to 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent Application No. 2003/0227774 to Martin et al. (“Martin”). [2/1/06 Office Action at pp. 2-3]. Claims 9-10 and 21 were rejected pursuant to 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,984,495 to

Chapman et al. (“Chapman”). [2/1/06 Office Action at p. 3]. Claim 20 was rejected pursuant to 35 U.S.C. § 103(a) as allegedly being unpatentable over Chapman in view of U.S. Patent No. 6,053,623 to Jones et al. (“Jones”). [2/1/06 Office Action at p. 4]. These rejections are addressed below.

B. Claims 1-2, 8, and 11-18 are Novel over Martin

The rejection of claims 1-2, 8, and 11-18 is respectfully traversed.

Applicant’s claim 1 recites:

1. Headlight device, the intention of which is to emit at least one type of luminous beam, comprising
at least one luminous source and
at least one reflecting surface, to reflect luminous rays produced by the luminous source,
wherein the at least one luminous source comprises between 2 and 20 electroluminescent diodes,
wherein each electroluminescent diode is oriented in such a way that a totality of its ray propagation reaches, on the reflecting surface, a specific area of reflection which is dedicated to it, each specific area being more specially intended to fulfill a particular contribution of range, of breadth, or of comfort in the production of the luminous beam, and at least two of the electroluminescent diodes are used for a range contribution.

The office action has alleged that Martin discloses a headlight (200) for a motor vehicle with diode light sources. [2/1/06 Office Action at p. 2]. Martin is directed to an axial LED source with “any number of LED sources 210” that are “placed about lamp axis 204 in an axial arrangement ... so a normal vector to its light emitting surface is approximately perpendicular to lamp axis 204.” [Martin at ¶0044; Figure 2A].

Martin further discloses that a “segmented reflector 212 can be divided into reflective segments that each receives light primarily from one LED source 210” and that “[t]he reflective segments can project light into different parts of [a far-field] pattern 202.” [Martin at ¶0047]. For example, in Martin’s Figure 3A and 3B, an embodiment is shown with a segmented reflector (312) having reflective segments (314-1 and 314-3). [Martin at ¶0057]. These “reflective segments 314-1 and 314-3 are shaped to provide a far-field pattern 302.” [Martin at ¶0057]. Likewise, in the embodiment of Martin’s Figures 8A and 8B and Figures 10A and 10B, the reflective segments (814-1, 814-2, 814-3, 1010-1, 1010-2, 1010-3, 1010-4) contribute to form a single far-field pattern (802 or 1002). [Martin at ¶¶0061, 0065]. Thus, in each of the above embodiments, the LEDs and the reflective segments are adapted to producing a single far-field pattern. Accordingly, it cannot be said that these embodiments show specific areas of a reflecting surface intended to fulfill a particular contribution of range, of breadth, or of comfort in the production of the luminous beam.

Applicant notes the final paragraph of Martin states that a first group of LEDs can be used to generate a narrow flood light pattern and a second group of LEDs can be used to generate a wide flood light pattern:

Various other adaptations and combinations of features of the embodiments disclosed are within the scope of the invention. For example, embodiments of lamp 200 can be used in commercial lighting to generate a narrow flood light pattern or a wide flood light pattern. In one embodiment, a *first group* of LED sources can be powered up to generates the *narrow flood light pattern* while a *second group* of LED

sources can be powered up to generate the *wide flood light pattern*. [Martin at ¶0080 (emphasis added)].

These groups of LED sources are apparently operated in an alternative manner – either one group is on or the other group is on. Martin never suggests that both groups of LEDs should be simultaneously powered.

Thus, missing from this paragraph and from the remainder of Martin’s disclosure is any teaching, disclosure or suggestion that “each specific area [of the reflecting surface] being more specially intended to fulfill a particular contribution of range, of breadth, or of comfort in the production of the luminous beam” as recited in Applicant’s claim 1. Moreover, their certainly is no teaching, disclosure or suggest that “at least two of the electroluminescent diodes are used for a range contribution” as recited in Applicant’s claim 1.

Likewise, Martin fails to teach, disclose or suggest “a first of the electroluminescent diodes being disposed and adapted together with the associated reflecting surface to fulfill a range contribution of the luminous beam, a second of the electroluminescent diodes being disposed and adapted together with the associated reflecting surface to fulfill a breadth contribution of the luminous beam, a third of the electroluminescent diodes being disposed and adapted together with the associated reflecting surface to fulfill a comfort contribution of the luminous beam” as recited in Applicant’s claim 13.

Accordingly, Applicant respectfully suggests that independent claims 1 and 13, and dependent claims 2, 8, 11-12, and 14-18 are novel over Martin.

- C. Claims 9-10 and 19-21 are Novel Over Chapman Alone And
Are Patentably Distinct From Chapman in view of Jones

The rejections of claims 9-10, and 19-21 also are respectfully traversed.

Applicant notes that claim 19 is a dependent claim and depends from claim 10, which in turn depends from independent claim 9. As such, the rejection of claim 19 as allegedly being anticipated by Martin is inconsistent since independent claim 9 (from which claim 19 depends) was not alleged to be anticipated by Martin. Clarification is requested.

Applicant's claim 9 recites as follows:

9. Headlight device for a motor vehicle, the intention of which is to emit at least one type of luminous beam, comprising
at least one luminous source and
at least one reflecting surface, to reflect luminous rays produced by the luminous source,
wherein the at least one luminous source comprises at least one electroluminescent diode adapted to emit a first visible light, and a halogen-lamp or a discharge-lamp adapted to emit a second visible light,
wherein the first and second visible light comprise the luminous beam.

Chapman is directed to a light shield for an illumination system mainly for airplanes, although automobile headlights are mentioned briefly. Chapman describes a "dual spectrum illumination system" having "two independent modular sources of illumination." [Chapman, Col. 1, lines 66-67]. A halogen lamp, for example, provides "a high intensity beam of *visible* light" and light emitting diodes emit "any other region of the spectrum." [Chapman, Col. 1, lines 67 – Col. 2, lines 6 (emphasis added)]. In one

embodiment, Chapman's diodes are infrared to address a particular technical problem in the airplane context:

The pilot can select to perform a normal landing by activating the halogen lamp, or he can decide to perform a covert landing by turning on the second spectra. For example, the LED ring can be populated by high power infrared light emitting diodes ("LED"). ***LED light is invisible to the naked eye and night vision goggles must be used to see.*** The aircraft may land with the invisible landing light and cause minimal disturbance to the native population at the landing site. [Chapman, Col. 2, lines 21-29 (emphasis added)].

Chapman also discloses that the LEDs can emit ultraviolet radiation.

[Chapman, Col. 2, line 5]. Chapman envisions either using a halogen lamp for the airplane landing *or* using the infrared LEDs – but not both. [Chapman, Col. 5, lines 18-20 (“The pilot has the option to select one of three options, off/visible/infrared, by setting the switch 44.”)].

Thus, Chapman fails to disclose that the luminous beam of the headlight comprises of the first visible light of the electroluminescent diode as well as the second visible light of the halogen or discharge-lamp as recited in Applicant's claim 9.

Jones is directed to a waterproof light. The office action alleged that Jones teaches to substitute a xenon lamp for the halogen lamp of Chapman. [2/1/06 Office Action at p. 4]. Without commenting on that assertion, Applicant notes that Jones – like Chapman – fails to that the luminous beam of the headlight comprises of the first visible light of the electroluminescent diode as well as the second visible light of the halogen or discharge-lamp as recited in Applicant's claim 9.

Likewise, Applicant's claim 21 is distinguished from Chapman and Jones in that its luminous beam has three areas (i.e., comfort, breadth and range) and that a electroluminescent diode provides the luminous rays for the areas of comfort and breadth, while a halogen or discharge lamp simultaneously provides the luminous rays for the areas of range.

Accordingly, Applicant respectfully suggests that independent claim 9 and dependent claims 10 and 19-21 are novel over Chapman alone and patentably distinct from Chapman in view of Jones.

Applicant has chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art. Likewise, Applicant has chosen not to swear behind Martin. Applicant, however, reserves the right, as provided for by 37 C.F.R. § 1.131, to do so in the future as appropriate.

Finally, Applicant has not specifically addressed the rejections of the dependent claims. Applicant respectfully submits that the independent claims, from which they depend, are in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicant, however, reserves the right to address such rejections of the dependent claims in the future as appropriate.

CONCLUSION

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1948-4838.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: April 1, 2006

By: /matthewk.blackburn/
Matthew K. Blackburn
Registration No. 47,428

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.

3 World Financial Center

New York, NY 10281-2101

(212) 415-8700

(212) 415-8701

Telephone

Facsimile